IN RE: PETITION FOR ZONING VARIANCE S/S Wilson Point Road, 2112' SE of Shore Road (1902 Wilson Point Road) 15th Election District 5th Councilmanic District

John W. Pierson, Jr., et ux

ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 88-403-A

Petitioners

MEMORANDUM AND ORDER

The Petitioners herein request variances to permit a front yard setback of 23 feet in lieu of the required 25 feet, a side yard setback of 1 foot in lieu of the required 10 feet, a rear yard setback of 25 feet in lieu of the required 30 feet; or in the alternative, a rear yard setback of 23 feet in lieu of the required 30 feet, and a height of 40 feet in lieu of the maximum permitted of 35 feet, all as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by John W. Pierson, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, it is the opinion of the Zoning Commissioner that the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variance hould be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this Office day of April, 1988 that a front yard setback to Wilson Point Road of

April 20, 1988

Mr. & Mrs. John W. Pierson, Jr. 2 Tall Tree Court Baltimore, Maryland 21208

RE: Petition for Zoning Variance S/S Wilson Point Road, 2112' SE of Shore Road (1902 Wilson Point Road) 15th Election District; 5th Councilmanic District Case No. 88-403-A

Dear Mr. & Mrs. Pierson:

Enclosed please find the decision rendered in the above-referenced case. The Petition for Zoning Variance has been Granted, subject to the restrictions

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

J. Pobert Haires Zoning Commissioner of Baltimore County

cc: People's Counsel

23 feet in lieu of the required 25 feet, a side yard setback on the south side of 1 foot in lieu of the required 10 feet, a rear yard setback of 25 feet to Middle River in lieu of the required 30 feet, and additionally, a a height of 40 feet in lieu of the maximum permitted height of 35 feet, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition,

2) Compliance with all Zoning Plans Advisory Committee Comments, including the Department of Environmental Protection and Resource Management comments attached hereto and made a part hereof.

> Zoning Commissioner of Baltimore County

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAG. .NT

2/12/88 Date Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204 Zoning Item # 250, Zoning Advisory Committee Meeting of January 26, 1988 Property Owner: Margaret A. Lierson et ux

Location: 5/5 Wilson Point Rd 21/2 5E 5hore Rd. District 15

Water Supply Metro Sewage Disposal Metro

() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be aubmitted to the Plans Review Section, Bureau of Regional Community Services, for final review () Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air

Quality Management, 494-3775, to obtain requirements for such installation/s before work begins. () A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other

() A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more. () Prior to approval of a Building Permit Application for renovations to existing or construction Prior to approval or a number of application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of

) Prior to any new construction or substantial alteration of public awimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water a d sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted pertaining to nearth and select; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiele Section, Bureau

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health. () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment. (Prior to razing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. at 474-3700, regarding removal and/or disposal or potentially materious materials and solid season. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775. () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removed by a licensed naturer and cank removed from the property of property backlines.

Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768. () Soil percolation tests, have been _____ must be _____, concucted.

Water and Sewer to determine whether additional tests are required. () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore

() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications. () Prior to occupancy approval, the potability of the water supply must be verified by collection

() If submission of plans to the County Review Group is required, a Hydrogeological Study and an

BUREAU OF WATER QUALITY AND RESOURCE

MANAGEMENT

PETITION FOR ZONING CARTANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

Variance from Section 1 B 02 1 C 1 To raze existing house and rebuild same to allow a front yard setback of 23 feet, a side yard setback of 1 foot and a rear yard respectively. Or alternately to allow a rear yard setback of 23 feet in lieu of the required 30 feet and to allow a height of 40 feet in lieu of the permitted

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) See attached list.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this 57,520 petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): Jehn W. Pierson Trick (Type or Print Name) (Type or Print Name) Musterell Facure Margaret A. Pierson John W Furen Jo Kill City and State Morney for Petitioner: (Type or Print Name)

Address

Phone No. ignature City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted City and State
Name

Attorney's Telephone No.: ORDERED By The BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION s petition be advertised, as MISCELLANEOUS CASH RECEIPT general circulation throughig be had before the Zoning ling in Towson Baltimore sioner of Baltimore County.

5 LJ. 9 e annexed advertisement ...
TO ADEVERTISE PETITION FOR NUMBER 88-403-A
1221' SE SHORE RD. (1902 WILSOM FION DISTRICT 5th COUNCILMANIC S): MARGARET A. PIERSON, ET UX URSDAY, APRIL 14, 1988 at 9:00a H **UBLICATIO**

VALIDATION OR SIGNATURE OF CASHIER

WE PETITION FOR A VARIANCE FOR THE FOLLOWING REASONS!

- 1. D.R. 5.5 Zone setback requirements do not allow for our building an addition with setbacks comparable to th dwellings on the immediately adjoining lots of approximately
- 2. Compliance withe D.R. 5.5 Zoning Regulation setback requirements would prevent our building the addition we need to accomodate the furnishings we will be moving from
- 3. We would indeed experience a hardship if we could not build the addition needed to make 1902 Wilson Point Road our permanent residence as planned, since our children and grandchildren reside at 1900 Wilson Point Road and

The state of the s

ZONING DESCRIPTION

Being known and designated as Lot No. 140 as shown on Plat #2 "Bull Neck" which said Plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 8 Folio 11
Also known as 1902 Wilson Point Road in the 15th District.

Beginning on the westernmost side of Wilson Point Road 18 feet wide, at the southeastern cotner of Lot140 running thence northwesterly

ror a distance or bu reet. -running thence binding on the northern most part of Lot 140 92.00 feet to the waters of Middle River 92.00 feet to the waters of Middle River --running thence binding on the waters of Middle River 56.98 feet

-thence leaving the waters of Middle River and binding on the southermost side of said lot 120 feet to the point of beginning

> CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Posted for: Very January of Planson et al.

Location of property: SS/Ailson P/PJ, 2113' SE/Shore Rd.

1917 1111 Location of property:

[862 [Mison F] Addison Signer Town July Spore 3 Fr. 700 dairy

CERTIFICATE OF PUBLICATION NOTICE OF HEARING The Zoning Commissioner of But nature County by enthusity of the Luning Act and Regulatures of Batts more County will hold a public TOWSON, MD. March 24, 1988 peared on the bichests equations their Building heated at 111 W. their reaks Avenue in Towns THIS IS TO CERTIFY, that the annexed advertisement was Marriand as Indiana Protein he Zireng Variance published in THE JEFFERSONIAN, a weekly newspaper printed Cam Number 88-413-A So Mison Point Road 2112'S Shore Road (1962 Where Point Road) and published in Towson, Baltimore County, Md., a, pearing on 5th Councimanic United Petitioner(s) Margaret A Part-son, et us Hearing Date Thurnday.

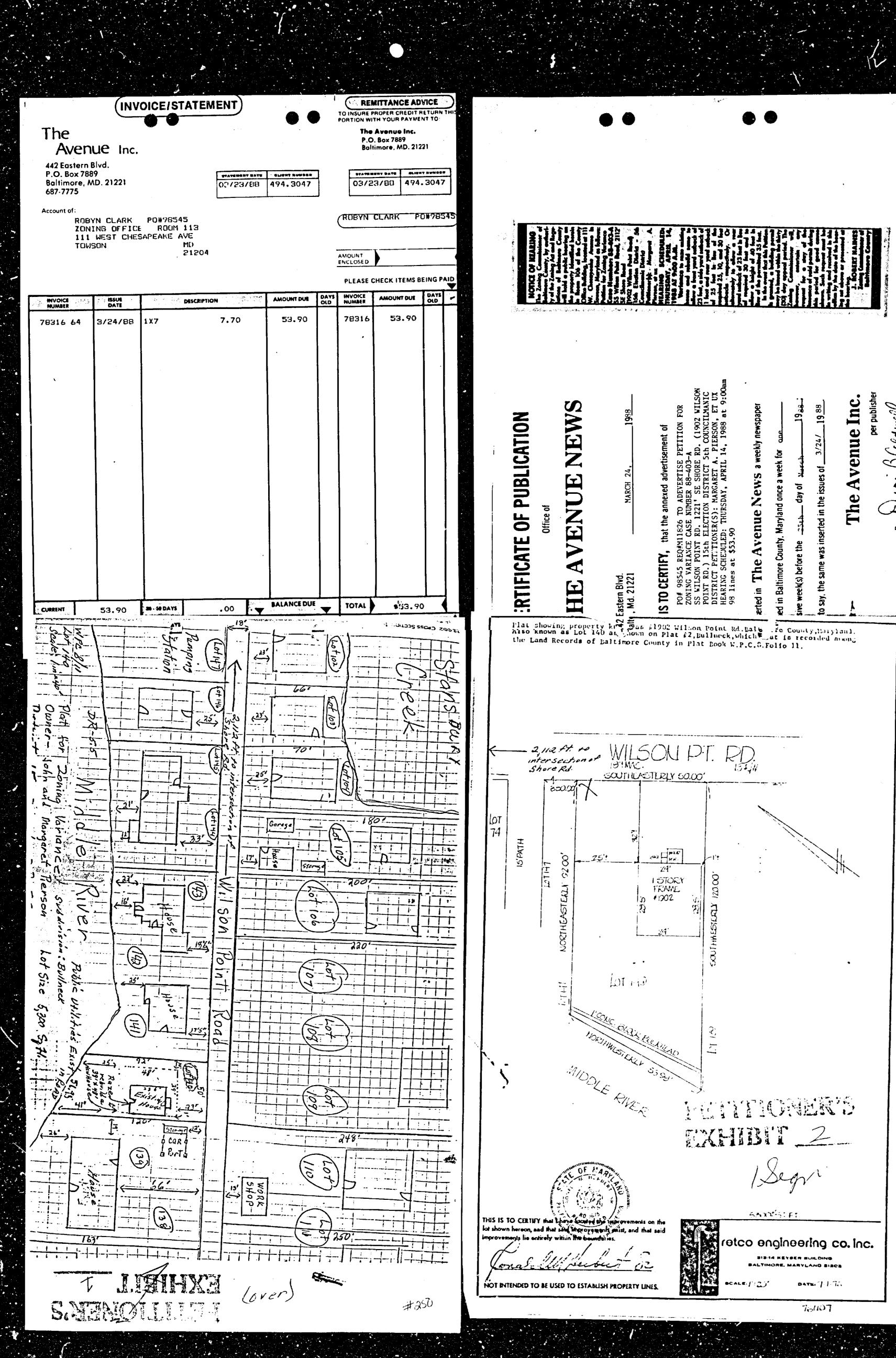
April 14, 1965 at 9100 a m.

Variance to race existing house. and rebuild same to allow a from varid setting to it? 3 feet, a safe card serback of I hast and mar hard ser-back or 25 neet in lieu of the required THE JEFFERSONIAN, 25, 10, and 10 feet settle to respec-tively. On alternative to allow a rear

Publisher

peal period. The Zoning Commis-miner will, however entertain any request for a stay of the neuron will good present charries than percent one must be in writing and received in the offer by the date of the hearing set above or presented at the hear I ROWERT HAINES 3.3# Mar 24

yard serbace of 23 feet in hea of reof 41 feet as here of the permutted 15 in the event that this Principle is present a building permit mes be



Baltimore County
Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 Date: 4/6/88 J. Robert Haines Zening Commissioner Mr. & Mrs. John W. Pierson, Jr. 2 Tall Tree Court Bultimore, Muryland 21208 Petition for Zoning Variance Case Number: 88-403-A SS Wilson Point Road, 2112 SE Shore Road (1902 Wilson Point Road) 15th Election District - 5th Councilmanic District Petitioner(s): Murgaret A. Pierson, et ux
HEARING SCHELLED: THRESDAY, AFRIL 14, 1988 at 9:00 a.m. Door Mr. & Mrs. Pierson: Please be advised that //0.15 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself. ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE · REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

No. 50580

and post set(s), there for each set not BALTIMORE COUNTY, MARYLAND K-01-615 000

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this

Petitioner Margaret A. Pierson, et ux Received by:

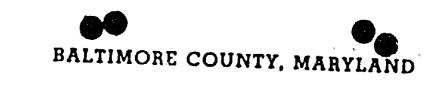
Petitioner's

Attorney

Advisory Committee

_ day of <u>February</u>, 1998.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204 494-3353 NOTICE OF HEARING The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows: Petition for Zoning Variance Case Number: 88-403-A SS Wilson Point Road, 2112' SE Shore Road (1902 Wilson Point Road) 15th Election District - 5th Councilmenic District Petitioner(s): Margaret A. Pierson, et ux
HEARING STEELLED: THISDAY, AFRIL 14, 1988 at 9:00 a.m. Variance to raze existing house and rebuild some to allow a front pard setback of 23 feet, a side yard setback of 1 foot and rear yard setback of 25 feet in lieu of the required 25, and 30 feet setbacks respectively. Or alternately to allow a rear yard setback of 21 feet in lieu of required 30 feet and to allow a height of 40 feet in lieu of the promitted In the event that this Petition is granted, a building permit may be issued within In the event that this retition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing. J. Robert Haires J. ROBERT HAINES Zoning Commissioner of Baltimore County cc: Mr. & Mrs. Pierson



INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines

TO Zoning Commissioner

P. David Fields

FROM Director of Planning and Zoning Zoning Petition Nos. 88-400-A, 88-402-A, 88-403-A, 88-404-A, SUBJECT 88,405-A, 88-406-A, 88-407-A

There are no comprehensive planning factors requiring comment on this

P. David Fields per Soliceurell
Director

Date March 24, 1988

PDF:dme

co: Ms. Shirley M. Hess, Legal Assistant, People's Counsel

cc: John Prinson, et up 4/6/58/11



Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500

Paul H. Reincke

January 20, 1988

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204



Re: Property Owner: Margaret A. Pierson, et ux

Location: SS/Wilson Point Road, 2112' SE Shore road

Item No.: 250

Zoning Agenda: Meeting of 1/26/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ($^{\rm X}$) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
-) 6. Site plans are approved, as drawn.
-) 7. The Fire Prevention Bureau has no comments at this time

Special Inspection Division

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 494-3554

February 12, 1988



Dennis F. Rasmussen

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 247, 248, (250) 251, 252, 253, 254, 255 and 256.

Traffic Engineer Associate II

MSF/pml-b

Maryland Department of Transportation State Highway Administration

Richard H. Trainor Secretary Hal Kassoff Administrator

> COUNTY OFFICE BLDG. Ill W. Chesapeake Ave.

> > MERBERS

Bureau of

Bureau of

Industrial

Development

Engineering

Department of

Fire Prevention

Health Department

Project Planning

Suilding Department

Board of Education

Soning Administration

Traffic Engineering

State Poads Commission

Towson, Maryland 21204

000

January 27, 1988

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Attention: Mr. James Dyer

Re: Baltimore County ZAC Meeting of 1-26-88 Margaret A. Pierson Property Maryland Route 587 S/S Wilson Point Rd. 2112' S/E of Shore Rd. (Item #250)

Dear Mr. Haines:

After reviewing the submittal for a variance to raze existing house and rebuild same to allow a front yard setback of 23', the State Highway Administration - Bureau of Engineering Access Permits finds the plan generally acceptable.

If you have any questions, please call Larry Brocato of this office.

Very truly yours,

Creston J. Mills, Jr. Acting Chief Bureau of Engineering Access Permits

LB:maw

cc: Mr. J. Ogle

Dear Ms. Pierson:

Ms. Margaret A. Pierson

Baltimore, Maryland 21208

2 Tall Tree Court

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

April 5, 1988

Item No. 250 - Case No. 88-403-A

Petition for Zoning Variance

Petitioner: Margaret A. Pierson, et ux

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours.

Zoning Flans Advisory Committee

JED:cer

Enclosures

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717